

**Notice of Allowability**

Application No.

10/709,123

Examiner

Milton Nelson, Jr.

Applicant(s)

ADAMS ET AL.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's letter of 2/7/05.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

Claims 1-26 are allowed.

The following is an examiner's statement of reasons for allowance: Regarding claim 1, the prior art of record fails to show an adjustable leg for a chair, including a leg extension received into the leg housing and including external threaded portions that mate with the threaded inner wall; and a tab in the leg housing cooperating with the external threaded portions and securing the leg extension at a predefined position in the leg housing, in combination with other specifically claimed features. Regarding claim 6, the prior art of record fails to show an adjustable leg for a chair, including a leg extension received into the insert and including external threaded portions that mate with the threaded inner wall, a depression being defined between the threaded portions; and a tab on the insert cooperating with the threaded portions and the depression, the leg extension being secured at a predefined position in the insert when the tab is in the depression, in combination with other specifically claimed features. Regarding claim 13, the prior art of record fails to show a chair having an adjustable leg including means for providing visual and tactile feedback to a user when the lower leg portion is at a predetermined position in the upper leg portion, in combination with other specifically claimed features. The prior art of record fails to show an adjustable leg for a chair, including a leg extension received into the housing and including external threaded

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portions that mate with a threaded inner wall of the leg housing; a plurality of indices between the threaded portions on the leg extension; and a locking mechanism associated with the leg housing, preset positions of the leg extension within the housing being determined as a function of respective ones of the indices being engaged with the locking mechanism, in combination with other specifically claimed features. Regarding claim 21, the prior art of record fails to teach a method for adjusting a leg of a chair, including the steps of rotating a leg extension with an insert that is secured within a leg housing, external threaded portions of the leg extension mating with a threaded inner wall of the insert as the leg extension is rotated; and when the leg extension is at a predefined position in the insert, engaging a tab on an inner surface of the insert in a valley between the threaded portions, in combination with other specifically claimed features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Response to Amendment/Arguments***

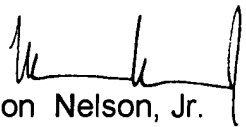
Applicant's response has been fully considered. Regarding previously rejected claims 13 and 16, Applicant has invoked 35 USC 112, 6<sup>th</sup> paragraph to overcome the rejection. This has been deemed persuasive in view of the prior art of record.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milton Nelson, Jr. whose telephone number is 5712726861. The examiner can normally be reached on Monday-Wednesday, and alternate Fridays 5:30-3:00.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Milton Nelson, Jr.  
Primary Examiner  
Art Unit 3636

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May 13, 2005